

SETTLEMENT AGREEMENT -- ATTACHMENT A

STIPULATED MODIFICATIONS TO GENERAL ASSISTANCE EMERGENCY HOUSING PROGRAM RULES EH-720 AND EH-701

1. The Department shall modify the General Assistance Emergency Housing Program Rule EH-720 ("Rule EH-720") as follows:

- A household that includes a person with a disability. A person with a disability is:

1. A person, ~~includes someone~~ who receives SSI, SSDI, VA disability benefits, Medicaid for the Aged, Blind and Disabled (MABD); or

2. A person whose health care professional or counselor from the Division of Vocational Rehabilitation provides documentation that the individual is unable to work more than an average of 20 hours a week over the next three months due to a disability for at least three months; or

3. A person whose health care professional or counselor from the Division of Vocational Rehabilitation provides documentation that the individual was unable to work more than an average of 20 hours a week over the past three months due to a disability.

[You may request housing beyond the 84 nights, 30 days at a time when a disability significantly impairs activities of daily living (ADL), or you or a household member are enrolled in or likely eligible for Choices for Care, Developmental Services, CRT, Brain Injury program, Attendant services, if you are actively working with a service provider to find permanent housing (See EH-755)]

2. The Department shall modify Rule EH-720 by adding this additional provision:

Variances

1. Applicants, participants, and service providers may request a variance for an applicant or participant who is denied under the disability prong in Rule EH-720 if being unsheltered would be particularly dangerous to the applicant or participant's health and welfare.

2. Such a variance request shall include: (i) a description of the need; and (ii) a description of the unusual risk posed to the individual's health, safety, or welfare if GA emergency housing is not authorized.

3. If the request for a variance is denied, the denial notice must be in writing. The notice shall include the right to request a fair hearing and contact information for Vermont Legal Aid, Inc. The applicant or participant may appeal a denial of a request for a variance to the Human Services Board, and the burden shall be on the applicant to show an abuse of discretion. The issuance of a variance shall have no precedential effect on any cases or rules.

3. The Department shall modify Rule EH-701 by adding the following statement:

Right to Apply: All persons interested in applying for GA emergency housing shall be granted the opportunity to do so.